

II.

The plaintiff housed housed in a filthy, roach infested cell, with a broken window, badly tattered mattress and malfunctioning toilet for a period of (14) days for (24) hours a day period, which this plaintiff contends was unfit for human habitation, in gross violation of the 8th Amendment.

III.

The plaintiff was denied any medical attention for the severe flu-like symptoms that he suffered while housed in said cold unheated cell during the bitter cold November days.

IV.

The plaintiff was denied cleaning supplies with which to clean the cell that he was assigned to for said period.

V.

The plaintiff contends that their was no penological reason, purpose or objective for housing him in punitive segregation maximum security unit under such harsh and inhumane conditions for said period.

Respectfully submitted,

Anthony Wheeler
Anthony Wheeler, pro se

Reg. #A-81100

P.O. Box 999

Pinkneyville, Ill. 62274

STATE OF ILLINOIS)
) SS.
COUNTY OF PERRY)

AFFIDAVIT OF INDIGENCY

I, Anthony Wheeler, (affiant) after being first duly sworn, deposes and avers that the attached AFFIDAVIT OF INDIGENCY is true,, accurate and correct and to the very best of my personal knowledge and belief.

In support thereof, this affiant hereby states:

1. That he is indigent and lack the funds and/or financial means with which to pay for the cost of the Appeal.

2. See in forma pauperis form attached to plaintiff's initial filing which clearly reflect the plaintiff's financial status for the past (6) month period.

SUBSCRIBED AND SWORN TO BEFORE ME
ON THIS 6th DAY OF April 2008

AFFIANT: Anthony Wheeler

NOTARY PUBLIC: _____

DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, certify to the best of my knowledge, information, and belief, that the attached Document is in full compliance with Rule 720 ILCS 5/32-2, of the Illinois Law and Criminal Procedure. The undersigned also recognizes that failure to comply with this code may result in committing a Class Three (3) Felony punishable by any Court in the State of Illinois. Pursuant to 720ILCS 5/32-2, of the Illinois Law and Criminal Procedure.

Signed this 6th day of April, 2006

Anthony Wheeler
Signature

87705

SD428 16

NOTICE, PROOF OF SERVICE

Notice is hereby given that, I, Anthony Wheeler #A-81100, have filed the attached, NOTICE OF APPEAL, MOTION FOR LEAVE TO APPEAL, IN FORMA PAUPERIS, AND AFFIDAVIT OF INDIGENCY, on this 6th day of April 2008. This by depositing same in the mail box at the Pinckneyville Correctional Center, P.O. Box 999, Pinkneyville, Illinois, 62274.

To: United States District Court
Prisoner Correspondent
219 S. Dearborn St.
Chicago, Ill. 60602

subscribed and sworn to before me

on this 6th day of April 2008

affiant: Anthony Wheeler

notary public: _____